

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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METRO FUEL LLC, a Delaware limited
liability company,

No. C07-6067 JSW

Plaintiff,

vs.

CITY OF SAN FRANCISCO, a municipal corporation,
COUNTY OF SAN FRANCISCO, a subdivision of the
State of California, CITY AND COUNTY OF SAN
FRANCISCO, a chartered California city and county.

Defendants.
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DECLARATION OF NAZ AUTO SERVICE

NAZIR JAVAID declares under penalty of perjury, pursuant to 28 U.S.C. §
1746, that the following is true and correct:

1. I submit this declaration in support of the motion by Plaintiff Metro Fuel LLC for a preliminary injunction in this case.
2. I am the owner of **NAZ AUTO SERVICES INC**, the entity that owns the property located at 376 Castro Street in San Francisco. Pursuant to a lease agreement between Metro Fuel and Naz Auto Service LLC, Metro Fuel has placed and operates three panel signs on this property.
3. On or about August 13, 2008, the City of San Francisco issued a violation to **NAZ AUTO SERVICES INC** alleging that Metro Fuel's panel sign is illegal and purportedly imposing a fine of \$487.50. A true and correct copy of this notice of violation is attached to this

declaration as Exhibit A.

4. I notified Metro Fuel of this notice of violation and was informed that Metro Fuel had filed this lawsuit in federal court challenging the constitutionality of the advertising sign restrictions at issue. I informed Metro Fuel that I am very concerned about the notice of violation and the steep fines that the City claims are accruing as well as the fact that there are many other signs much like this on the sidewalks by my business that are owned by the City so I am confused as to why my signs were given a violation. Metro Fuel explained that there would be a court appearance in the federal court action on July 11, 2008, and that Metro Fuel would be asking the Court to issue an injunction barring the City from acting on the notice of violation during the pendency of the lawsuit.

5. I informed Metro Fuel that if this issue is not resolved shortly, I will have no choice but to remove the panel signs from my property. I understand that there is strong legal precedent supporting Metro Fuel's constitutional claim, but I cannot risk the possibility that the City's notice of violation will be upheld and that the penalties will continue to accrue and will later be enforced. Unless the Court intervenes soon, the panel sign will be removed.

Dated: July 10th, 2008
San Francisco, California


NAZ AUTO SERVICE